SINGLE BENCH

CF-3002

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 57 Of 2007

PETITIONERS : 1. Sanjay Kumar S/o Balchand Surana , aged about 39 years.
2. Santosh Kumar Sashu S/o Manhar Lal Sahu, aged about 36 years.
3. Doman Sinha S/o Shri Puran Lal Sinha, aged about 38 years.
All resident of Village Berla, District Durg (CG).

P.R. No. 9/1/07
Presented by Shri Pukh Raj Bafna
Dated 3/1/07

VERSUS

RESPONDENTS : 1. State of Chhattisgarh , through the Secretary , Panchayat and Rural Development Department, D.K.S. Building , Raipur (CG).

2. The Collector , Durg, Tahsil and District Durg (CG).
3. Chief Municipal Officer, Nagar Panchayat Berla, District Durg (CG).
4. The President, Nagar Panchayat Berla, District Durg (CG).

OATH COMMISSIONER APARNA MALVIYA CG-20726 20/12/07 Bilaspur Chhattisgarh

RECEIVED-COPY 3/1/07 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(C) No. 57/07 **सन् 200**

..... **विरुद्ध** .....

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

05/02/2007

Smt. Renu Kochar, counsel for the petitioners.

Shri Sumit Verma, Panel Lawyer for respondent No. 1 & 2/State.

None for respondents No. 3 and 4.

Heard.

This petition has been preferred for seeking following substantial reliefs:

> *" To issue a writ in the nature of mandamus commanding the respondents 1 and 2 to appoint a high level enquiry committee to find out the truth of fate published in various news papers and the written complaints and on being found the allegations to be true against the respondents 3 and 4 appropriate criminal proceedings as well proceedings for removal of the respondent No.4 be drawn;*
>
> *2) to command the respondents 1 and 2 to forthwith depute audit party for auditing the accounts of Nagar Panchayat Berla since from 2003 to till date;*
>
> *3) That the respondents 1 and 2 may kindly be directed to initiate proceedings under the Panchayat Raj Adhiniyam against the respondent No.4."*

Apparently, the reliefs sought are such, which are permissible in PIL whereas this is not a PIL. Petitioner No.1 is a citizen, whereas petitioners No.2 and 3 are Ward members of Berla and respondent No.4 is the President, Nagar Panchayat, Berla. If at all as alleged

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	respondents No. 3 and 4 have committed financial irregularities, illegalities, misused public fund or involved in committing any offence, for such criminal act report can be made to the Police or complaint can be lodged before the Criminal Courts in accordance with law. Neither any right of the petitioners is infringed nor they have any right to pray for enforcement of relief as claimed herein, apparently petitioners have no *locus standi* to file the instant petition, even otherwise, if they have any grievance, they may take recourse in accordance with criminal law. With aforesaid observation, this petition stands disposed of. **Sd/-** **V.K.Shrivastava** **Judge**	

Raju